

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

2 BRIAN STRETCH (CSBN 163973)
3 Chief, Criminal Division

4 MARK L. KROTOSKI (CASBN 138549)
Assistant U.S. Attorney

5
6 1301 New York Avenue, Suite 600
7 Washington, D.C. 20530-0016
8 Telephone: (202) 307-6389
Facsimile: (202) 514-6113
E-Mail: Mark.Krotoski@usdoj.gov

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9 Attorneys for Plaintiff

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION
14

15 UNITED STATES OF AMERICA,)
16 Plaintiff,)
17 v.)
18 DAVID M. FISH,)
19 aka x000x,)
20 Defendant.)

No. CR 05-00445-RMW and

CR-06-00109-RMW

STIPULATION TO CONTINUE
SENTENCING HEARING
AND ORDER

21 It is hereby stipulated and agreed between defendant David M. Fish, by and through his
22 counsel of record, Michael W. Armstrong, Esq., and the United States, by and through Assistant
23 United States Attorney Mark L. Krotoski, as follows:

- 24 1. This matter is presently set for a sentencing hearing on March 24, 2008 at 9:00 a.m.
25 2. The parties agree that further time is needed to address sentencing issues and that the
26 terms of the plea agreement continue to apply. The probation officer is also working on the draft
27 presentence report in this case.
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STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND xxxxxxxxxxxx ORDER
CR 05-00445-RMW

Feb-12-08 08:15pm From-

T-545 P.003/004 F-817

3. For the foregoing reasons, and that the ends of justice are served by continuing this case, the parties stipulate and request to a continuance of the sentencing hearing from March 24, 2008 at 9:00 a.m. to April 28, 2008 at 9:00 a.m., or the next available date. Government counsel requests permission to appear telephonically during the hearing.

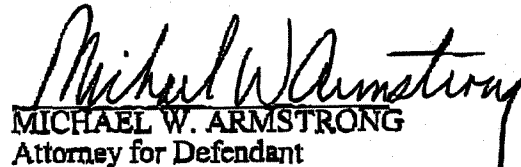
IT IS SO STIPULATED.

Dated: February 13, 2008

JOSEPH P. RUSSONIELLO
United States Attorney


MARK L. KROTOSKI
Assistant United States Attorney

Dated: February 13, 2008


MICHAEL W. ARMSTRONG
Attorney for Defendant

IT IS SO ORDERED.

Upon good cause shown, the sentencing hearing is continued from March 24, 2008 at 9:00 a.m. to April 28, 2008 at 9:00 a.m. Government counsel may appear telephonically during the hearing.

Dated: February 21, 2008


RONALD M. WHYTE
United States District Judge

1 Distribute To:

2 Michael W. Armstrong
3 Nolan Armstrong et al LLP
4 600 University Ave
5 Palo Alto, CA 94301
6 FAX (650) 326-9704

7 Mark L. Krotoski
8 AUSA
9 Computer Crime and Intellectual Property Section
10 U.S. Department of Justice – Criminal Division
11 1301 New York Avenue, Suite 600
12 Washington, D.C. 20530-0016

13 Ben Flores
14 U.S. Probation Officer
15 280 South First Street
16 San Jose, CA 95113
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